

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number SCOTT LEE, State Bar No. 204564 slee@lbbslaw.com Lewis Brisbois Bisgaard & Smith LLP 221 N. Figueroa St., 12th Fl. Los Angeles, CA 90012 Tel: 213/250-1800 Fax: 213/580-7921	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
In re: HYPERCONSTRUCTION, INC. Debtor(s).	CASE NO.: 1:09-bk-22994-MT

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: February 24, 2010	Time: 10:00 a.m.
Location: 21041 Burbank Blvd., Woodland Hills, CA 91367, Courtroom 302	

Type of Sale: ☒ Public ☐ Private Last date to file objections:
February 10, 2010

Description of Property to be Sold: a 2004 Isuzu truck (VIN 4KLC4B1U34J801021), and business equipment and supplies

Terms and Conditions of Sale: "As is" and "where is" basis without any representations and/or warranties whatsoever, subject to Bankruptcy Court approval and overbid

Proposed Sale Price: 9,000.00 for truck (all cash); \$600.00 for equipment (all cash)

Overbid Procedure (If Any): [see attached]

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e-mail address):

AMY L. GOLDMAN

221 N. Figueroa Street, 12th Floor

Los Angeles, CA 90012

213/580-7944 (tel) 213/580-7921 (fax)

goldman@lbbslaw.com

Date: February 5, 2010

In order for any party to participate in an overbid procedure regarding the acquisition of the Assets, the Trustee requests that the parties comply with the following provisions:

The Truck

1. Each party (including the Buyer) must be present either physically or telephonically at the hearing on the Motion or represented by an individual or individuals with the authority to participate in the overbid process;

2. Each party participating in the overbid process (including the Buyer) must remit at or prior to the hearing on the Motion a deposit in the form of a cashier's check or money order made payable to the Trustee in the amount of nine thousand dollars (\$9,000.00). The \$9,000.00 deposit shall not be refundable if such party is the successful bidder and is thereafter unable to complete the purchase of the Truck;

3. The bidding for the Truck shall begin at \$9,100.00 with overbids being made in minimal increments of \$100.00;

4. Any party participating in the overbid process shall not be precluded from continuing to make bids after initially passing his/her/its turn or turns to overbid; and

5. Each party (including the Buyer) must pay the full amount of the successful bid to the Trustee within ten (10) calendar days after the hearing on the Motion. In the event that the Buyer is not the successful bidder of the Truck, the successful bidder shall then become the Buyer under the same terms and conditions as set forth herein. Furthermore, if the successful bidder cannot deliver the balance of the sale price within the above-referenced period, the Trustee shall be authorized to accept the offer made by the next highest bidder and the successful bidder's deposit shall be non-refundable.

The Equipment

1. Each party (including the Buyer) must be present either physically or telephonically at the hearing on the Motion or represented by an individual or individuals with the authority to participate in the overbid process;

2. Each party participating in the overbid process (including the Buyer) must remit at or prior to the hearing on the Motion a deposit in the form of a cashier's check or money order made payable to the Trustee in the amount of six hundred dollars (\$600.00). The \$600.00 deposit shall not be refundable if such party is the successful bidder and is thereafter unable

to complete the purchase of the Equipment;

3. The bidding for the Equipment shall begin at \$700.00 with overbids being made in minimal increments of \$100.00;

4. Any party participating in the overbid process shall not be precluded from continuing to make bids after initially passing his/her/its turn or turns to overbid; and

5. Each party (including the Buyer) must pay the full amount of the successful bid to the Trustee within ten (10) calendar days after the hearing on the Motion. In the event that the Buyer is not the successful bidder of the Equipment, the successful bidder shall then become the Buyer under the same terms and conditions as set forth herein. Furthermore, if the successful bidder cannot deliver the balance of the sale price within the above-referenced period, the Trustee shall be authorized to accept the offer made by the next highest bidder and the successful bidder's deposit shall be non-refundable.

In re	CHAPTER: 7
HYPERCONSTRUCTION, INC.	Debtor(s). CASE NO.: 1:09-bk-22994-MT

NOTE: When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on a CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

221 North Figueroa Street, 12th Floor, Los Angeles, CA 90012

A true and correct copy of the foregoing document described as NOTICE OF SALE OF ESTATE PROPERTY will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d), and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email addressed indicated below:

☐ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On February 5, 2010 I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follow. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

United States Bankruptcy Court
San Fernando Valley Division
21041 Burbank Blvd., Suite 325
Woodland Hills, CA 91367

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method) by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

February 5, 2010 RONNI E. KING
Date Type Name

Signature

Notice of Sale of Estate Property